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E-filed 12/4/07

Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

JACK CHIWAI HO,

Plaintiff,

v.

MICHAEL CHERTOFF, Secretary of the
 Department of Homeland Security;
 EMILIO T. GONZALEZ, Director, U.S.
 Citizenship and Immigration Services;
 FRANCIS D. SICILIANO, District Director,
 U.S. Citizenship and Immigration Services,
 San Jose Field Office;
 ROBERT S. MUELLER, III, Director of the
 Federal Bureau of Investigation,

Defendants.

No. C 07-5392 JF

**STIPULATION TO DISMISS AND
 [PROPOSED] ORDER**

Plaintiff, appearing *pro se*, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action without prejudice in light of the fact that the United States Citizenship and Immigration Services is now prepared to adjudicate plaintiff's application for naturalization and agrees to adjudicate such application within 30 days of the dismissal of this action.

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Stipulation to Dismiss
 C 07-5392 JF

1 Each of the parties shall bear their own costs and fees.

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4 Date: November 30, 2007

Respectfully submitted,

5 SCOTT N. SCHOOLS
6 United States Attorney

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8 /s/
MELANIE L. PROCTOR
Assistant United States Attorney
Attorneys for Defendants

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11 Date: November 30, 2007

12 /s/
JACK CHIWAI HO
Pro se

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14 **ORDER**

15 Pursuant to stipulation, IT IS SO ORDERED.

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17 Date: 12/4/07

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JEREMY FOGEL
United States District Judge